

19-mj-768 DTS

STATE OF MINNESOTA
COUNTY OF HENNEPIN

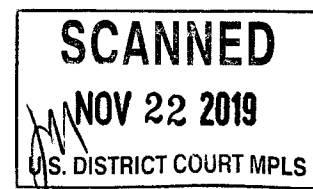
ss. AFFIDAVIT OF THOMAS MAHER

I, Thomas Maher, being first duly sworn and under oath, hereby deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant, DEA Task Force Officer Thomas Maher, is a licensed Police Officer in Minnesota employed by the Ramsey County Sheriff's Department for the last five years. Your Affiant is currently assigned as a Task Force Officer (TFO) with the Drug Enforcement Administration (DEA) Minneapolis/St. Paul District Office (MSPDO). Prior to this assignment, your Affiant was a narcotics investigator with the Ramsey County Violent Crimes Enforcement Team (VCET). Primary responsibilities as a VCET Investigator included conducting investigations of drug traffickers. Your Affiant also previously served approximately two years as a Patrol Deputy including as a Field Training Officer (FTO). Your Affiant has attended numerous national, state and local narcotic/criminal investigation courses.

2. Your Affiant makes this affidavit in support of a criminal complaint charging Armando Medina Garcia (hereafter "GARCIA") with possession with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, all in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A).



3. The facts and information contained in this affidavit are based on my personal knowledge of the investigation, as well as the observations of other agents and officers involved in the investigation. All observations referenced below that were not personally made by me were related to me by the persons who made such observations during the investigation. This affidavit contains information necessary to support probable cause for the issuance of this complaint. It is not intended to include each and every fact observed by me or known to the government.

PROBABLE CAUSE

4. In 2018, Officers of the West Metro Drug Task Force received information that Armando Medina GARCIA, aka Omar GARCIA, was possibly selling narcotics in the Twin Cities area. After receiving this information, Officers commenced physical surveillance of GARCIA. Officers observed GARCIA conduct several suspected narcotics transactions. Officers also observed GARCIA purchase multiple late-model vehicles, including a Cadillac Escalade and Land Rover. Based upon these observations and other evidence, Officers applied for and obtained a warrant to search GARCIA's apartment in the Victoria Place Apartments located on Victoria Street N. in Roseville, MN.

5. The above-described search warrant was executed on August 1, 2018. During the execution of the warrant, Officers found GARCIA inside of the apartment. In a closet in the master bedroom of the apartment, Officers found a cloth bag containing three baggies of suspected cocaine. In this same closet, Officers found thirteen plastic containers holding suspected methamphetamine, and two digital scales. Officers found an additional baggie containing suspected methamphetamine in the pocket of a shirt in the closet. In a

dresser drawer in the same bedroom, Officers found a large quantity of currency. All of these items were recovered and placed into evidence.

6. Officers conducted separate presumptive tests on each of the suspected narcotics recovered from the bedroom closet. The three baggies found inside of the cloth bag tested positive for the presence of cocaine, with net weights of approximately 101 grams, 127 grams, and 87 grams, respectively. The thirteen plastic containers, as well as the baggie found in the shirt pocket, tested positive for the presence of methamphetamine, with an aggregate weight of approximately 3,464.7 grams.

7. In a post-arrest interview following *Miranda* warnings, GARCIA told Officers that he lived in the Victoria Place apartment for several years. GARCIA said that all of the items in the bedroom closet were either his own or those of his young son or daughter who would occasionally stay with him at the apartment. GARCIA said that his rent is \$1,300 per month and that all three of his then current vehicles were paid off. However, GARCIA also stated that he was unemployed.

8. On August 13, 2018, GARCIA was charged by complaint in Ramsey County District Court with four separate controlled substance offenses stemming from the execution of the above-described search warrant. On or about August 14, 2019, an arrest warrant for GARCIA was issued by Ramsey County District Court.

9. On November 6, 2019, the Ramsey County Sheriff Office Apprehension Unit was looking for GARCIA in connection with the outstanding arrest warrant issued by Ramsey County District Court. On the morning of November 6, 2019, Deputies received information that GARCIA was driving a black Chrysler 300, license plate Minnesota DHE-

508, and could be found at the home of his girlfriend, D.R. at an apartment located on Ruth Street in St. Paul, MN. That afternoon, Deputies observed the Chrysler 300 leave the driveway of the aforementioned Ruth Street address. Deputies followed the vehicle and at the intersection of Conway St. and White Bear Ave., observed GARCIA driving the vehicle. Deputies temporarily lost sight of the vehicle, but subsequently located it several minutes later parked in front of the Capital View Apartments located on Old Hudson Road in St. Paul, MN.

10. Building management at the Capital View Apartments informed Deputies that GARCIA was residing in an apartment leased by D.R. A short time later, a Volkswagen registered to D.R. arrived at the apartment complex. The Volkswagen had one occupant, an unidentified male driver. Several minutes later, the Volkswagen was driven away from the apartment complex, now with two male occupants. Deputies believed that GARCIA was present in the vehicle and subsequently conducted a traffic stop at the intersection of Old Hudson Road and White Bear Avenue in St. Paul, MN.

11. The driver of the Volkswagen was identified as J.H., the son of D.R. The passenger of the Volkswagen was identified as GARCIA and he was taken into custody on the outstanding warrant for his arrest. During a search of Garcia incident to arrest, Deputies found a white brick of suspected narcotics encased in plastic, as well as a large quantity of cash, in his pockets.

12. In a subsequent search of the Volkswagen, Deputies found a blue bag located behind the front passenger seat. Inside of the blue bag were three plastic containers, two of which contained suspected methamphetamine. Deputies also found a small black

toolbox located behind the front passenger seat. Inside the tool box was an additional large quantity of suspected methamphetamine. Deputies subsequently reviewed surveillance video provided by management at the Capital View Apartments which showed GARCIA carrying the blue bag and small black toolbox out of his apartment just minutes prior to his arrest.


13. Deputies subsequently obtained a state search warrant for GARCIA'S apartment at the Capital View Apartments located on Old Hudson Road in St. Paul, MN, as well as the Chrysler 300. In a search of the aforementioned Chrysler 300, Deputies recovered two bags of suspected methamphetamine from the driver's side door.

14. Officers conducted separate presumptive tests on each of the suspected narcotics recovered from the traffic stop, the arrest of GARCIA and execution of the search warrant at GARCIA's apartment and Chrysler 300 located at the Capital View Apartments. In separate presumptive tests, the contents of two of the plastic containers recovered from the blue bag located in the Volkswagen stopped by Deputies tested positive for the presence of methamphetamine. In a presumptive test, contents of the black toolbox located in the Volkswagen stopped by Deputies tested positive for the presence of methamphetamine. In a presumptive test, the contents of the bags recovered from the Chrysler 300 tested positive for the presence of methamphetamine. The aggregate weight of all methamphetamine recovered from the traffic stop, arrest of GARCIA and search warrant the Capital View Apartments total approximately 2,885 grams.

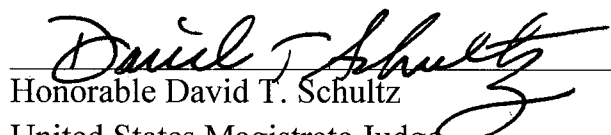
15. In a presumptive test, the white brick recovered by Deputies from GARCIA's person during incident to his arrest tested positive for the presence of cocaine with an approximate weight of 270 grams.

16. Based on all of the foregoing, your Affiant respectfully submits there is probable cause to believe that on or about November 6, 2019, Armando Medina GARCIA possessed with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in the State and District of Minnesota, all in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A).

Further your Affiant sayeth not.


Thomas Maher, Task Force Officer
Drug Enforcement Administration

SUBSCRIBED and SWORN to before me
this 21st day of November, 2019.


Honorable David T. Schultz
United States Magistrate Judge